

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney
JOANN M. SWANSON (CSBN 88143)
Chief, Civil Division
JENNIFER S WANG (CSBN 233155)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-6967
Facsimile: (415) 436-6748
jennifer.s.wang@usdoj.gov

Attorneys for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

| | | |
|-------------------------------------|---|----------------------------------|
| JEFFREY W. TAM, |) | No. 07-2747 SI |
| |) | |
| Plaintiff, |) | DECLARATION OF JENNIFER S |
| |) | WANG IN SUPPORT OF |
| v. |) | DEFENDANT'S MOTION FOR |
| |) | SUMMARY JUDGMENT |
| JOHN E. POTTER, Postmaster General, |) | |
| |) | |
| Defendant. |) | |

I, Jennifer S Wang, declare as follows:

1. I am over 18 years of age, am a resident of the State of California, am an Assistant United States Attorney and make this declaration in support of defendant's motion for summary judgment. The statements contained in this declaration are within my personal knowledge.

2. On December 12, 2007, I took plaintiff's deposition in the above-captioned case. A true and correct copy of excerpts of the transcript of plaintiff's December 12, 2007 deposition is attached as Exhibit A. Exhibit A includes the following pages from the transcript: 14-21, 35-38, 41-43, 48, 53, 55-56, 59, 61-68, 70, 75, 79, 81, 83-84, 87-88, 90, 92, 94, 97-98, 100-03, 106-08, 113, 116-119, 123-125, 132-36, 140-41, 144-47, 171-72, 178-79, 183-84, 186-88, 202-206, 209-12, 222-23.

Exhibit A also includes the following exhibits from the transcript: 3, 4, 5, 6, 8, 9, 11.

3. On February 6, 2008, I attended the deposition of Balvinder Chadha in the above-captioned case. A true and correct copy of excerpts of the February 6, 2008 deposition transcript is attached as Exhibit B. Exhibit B includes to following page from the transcript: 24.

4. On February 20, 2008, I attended the deposition of Gloria Benavides in the above-captioned case. A true and correct copy of excerpts of the February 20, 2008 deposition transcript is attached as Exhibit C. Exhibit C includes the following page from the transcript: 8.

5. A true and correct copy of the December 20, 2004 Equal Employment Opportunity (“EEO”) Complaint plaintiff filed with the United States Postal Service (“USPS”) is attached as Exhibit D.

6. A true and correct copy of the March 9, 2007 decision of the Equal Employment Opportunity Commission, Office of Federal Operations, regarding plaintiff’s December 20, 2004 EEO Complaint is attached as Exhibit E.

7. A true and correct copy of the plaintiff’s 2005 EEO Complaint, EEO case number 1F-946-0069-05, is attached as Exhibit F.

8. A true and correct copy of the USPS’ Final Action in EEO case number 1F-946-0069-05, is attached as Exhibit G.

9. A true and correct copy of excerpts of the 2000-2003 Agreement between the USPS and American Postal Worker’s Union, AFL-CIO is attached as Exhibit H.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 23, 2008 at San Francisco, California.

/s/

Jennifer S Wang